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Technical assistance and capacity-building

Report of the Chair of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 18/18, in which the Council invited the Chair of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights to present a comprehensive report on the Board's work on an annual basis, starting from the twentieth session of the Council. It provides an update on the work of the Board of Trustees of the Fund since the previous report of the Chair of the Board (A/HRC/29/48).

* The annexes to the present report are circulated as received.

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Contents

		Page
I.	Introduction	3
	A. Background	3
	B. Mandate	3
II.	Activities and results of the Voluntary Fund and the Board of Trustees	4
	A. Forty-second session (Geneva)	4
	B. Forty-second session (Ukraine)	6
III.	Technical cooperation	8
	A. Technical cooperation to reflect national development objectives	8
	B. Synergy and partnerships with other United Nations entities	11
	C. Measuring results of technical cooperation, and the response of the Office of the High Commissioner	12
	D. Main findings, challenges identified and recommendations	13
IV.	Status of funding and donors	13
Annexes		
I.	Voluntary Fund and expenditure trends: 2008 to 2015	15
II.	Voluntary Fund cost plan and expenditure: 2015	16
III.	Financial status of the Voluntary Fund: 2015	17
IV.	List of donors and contributors: 2015	18

I. Introduction

A. Background

1. The United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, established by the Commission on Human Rights in its resolution 1993/87, receives voluntary contributions from Governments, organizations and individuals. The objective of the Fund is to provide financial support for technical cooperation aimed at building and strengthening national and regional institutions, legal frameworks and infrastructures that will have a positive long-term impact on the implementation of international human rights standards.

2. The Board of Trustees has been operational since 1993 and its members are appointed by the Secretary-General for a three-year renewable term. The mandate of the Board is to assist the Secretary-General in streamlining and rationalizing the working methods and procedures of the technical cooperation programme. It meets twice a year and reports on its work to the Secretary-General and the Human Rights Council. Its current members are Mariclaire Acosta Urquidi (Mexico), Christopher Sidoti (Australia), Lin Lim (Malaysia), Esi Sutherland-Addy (Ghana) and Ilze Brands Kehris (Latvia). Ms. Brands Kehris was appointed to the Board on 17 February 2015, replacing Valeriu Nicolae (Romania), who resigned in January 2015 following his appointment to the Government of Romania. The Board elected Ms. Lim as Chair from 30 June 2015 until 30 June 2016, when she will be succeeded by Mr. Sidoti, who was re-elected as Chair by the Board at its forty-second session.

B. Mandate

3. Throughout the period under review, the Board continued to engage actively with the Office of the United Nations High Commissioner for Human Rights (OHCHR), including its field presences, providing advice on policy orientation and strategic vision on technical cooperation components of all its programmes. This refocused approach was agreed upon by the Board of Trustees and presented in 2011 to Member States in the annual report of the Secretary-General to the Human Rights Council (A/HRC/16/66).

4. The members of the Board are also the constituent members of the Board of Trustees for the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. In that capacity, they continued to provide OHCHR with policy guidance in order to maximize the effectiveness of technical assistance and financial support for States in implementing recommendations of the universal periodic review and other international mechanisms at the State level (see A/HRC/32/28). In this dual capacity, the Board also sought to promote the synergies and, hence, the more effective use of both funds.

5. The Board holds its annual sessions both in Geneva and in countries where OHCHR has a field presence. The field sessions continue to be particularly useful in enhancing the Board's understanding of the nature of the technical cooperation provided by OHCHR through the two funds and in enabling the Board to observe with all partners the effectiveness of the results achieved. The briefings and analysis of the financial and programmatic elements governing the two funds during the sessions in Geneva also have key importance for the Board members to be able to continue to advise OHCHR and its senior management on the various aspects of the two funds. OHCHR has also increased opportunities for the Board to provide specific advice on the technical cooperation components relevant to each of its six thematic strategies. Through these discussions and

advice, the Board has been able to better understand the value added by the Office's programmes on the ground, including how these relate to the requirements and expectations from a wide range of partners.

6. At the beginning of 2015 and in view of the challenging financial situation of OHCHR, the Board decided, as a temporary measure, to hold only one session in 2015 rather than the usual two, as a symbolic contribution to reducing the existing funding gap. The Board has decided to resume its two regular sessions in 2016. For this reason the present report covers the forty-second session of the Board in its capacity relating to the Voluntary Fund for Technical Cooperation in the Field of Human Rights, which was held in February 2016. The second session for 2016 will be held later in the year in the field.

II. Activities and results of the Voluntary Fund and the Board of Trustees

7. The Board of Trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights held its forty-second session in Geneva from 18 to 19 February 2016 and in Kyiv from 22 to 26 February 2016. The session was chaired by Lin Lim, who had been elected Chair of the Board of Trustees at its forty-first session. Three members of the Board attended the session in person and two participated using new communications technology. The Board took the opportunity to welcome formally a new member, Ilze Brands Kehris.

A. Forty-second session (Geneva)

8. The main objectives of the session held in Geneva were to take stock of the financial and administrative situation of the Office and of the Fund, in particular in the context of the implementation of the new financial and administrative management system of the United Nations Secretariat (UMOJA); to be briefed on work planned by the field presences scheduled to receive support from the Fund in 2016; to analyse the expected results of these presences under each of the thematic strategies, and to receive an update on the implementation of the Organizational Management Plan for 2014–2017; to share views and engage closely with the relevant sections of the Research and Right to Development Division on the practical development and use in the field of the thematic and policy guidance relevant to technical cooperation; to acquire a better understanding of the work of OHCHR in the area of migration and economic, social and cultural rights; and to find ways to continue to encourage the development of sound technical cooperation opportunities on the ground in these critical areas. The Board also took the opportunity to discuss with the relevant services possible ways for the Board to better support the Office's fundraising efforts, and to be briefed for its visit to Ukraine.

9. In opening the session, the Deputy High Commissioner referred to the financial situation of OHCHR and the savings made by the measures implemented throughout 2015, which had included a substantial reduction in a number of programmes. The Board expressed its support for the ongoing efforts by OHCHR management to reduce the funding gap further. The Board remained deeply concerned, however, about the impact of these reductions on the capacities of the Office to respond adequately to the urgent needs on the ground, and therefore urged States to increase both the proportion of the United Nations regular budget allocated to OHCHR and their own voluntary contributions to OHCHR and its trust funds.

10. The Board appreciated the high quality of the analysis, information and specific reports on the use of the Fund presented by the secretariat, despite the challenges that OHCHR faced in implementing the new administrative and financial system (UMOJA), in

particular, to access accurate and timely information on expenditures, provide financial reports and make timely payments of grants to partners. That had resulted in numerous delays and problems reported by OHCHR partners on the ground and might have had a negative impact on the credibility and operational capacities of OHCHR, despite the professionalism of its staff. There was clearly an urgent need to resolve the teething problems relating to UMOJA and improve administrative and financial arrangements. Such improvements would also facilitate the Office's resource mobilization efforts.

11. The Board analysed with the relevant services of the Office the trends of the Fund over the past seven years. It noted with great concern the drop in contributions compared with 2009, when total income had stood at $21 million; the demands for technical cooperation support had nonetheless grown tremendously. In 2015, total income had shrunk to $13 million, while the needs and requests for technical cooperation support had amounted to $17.5 million. The analysis is annexed to the present report.

12. The Board held discussions with relevant staff on the Office's work in the area of migration. The Board understood the decision taken in 2013 to integrate migration across all the thematic strategies rather than maintaining it as a distinct thematic strategy. The risk of such mainstreaming, however, was that it could increase the number of activities on migration while at the same time cause a disconnect between them as an integral part of the larger plan aiming at achieving visible and tangible overall results. The Board was pleased to note that OHCHR, through the establishment of a multidisciplinary task force, was striving to minimize such risks. Certainly, the crisis in mass movement of people in 2015 had posed unexpected challenges for the Office. There was no prospect of the crisis abating in the near future; indeed, it could become even worse. Under those circumstances the Office needed to plan to continue allocating a high priority to addressing the human rights issues arising from this mass movement of people. It would be important also from a technical cooperation perspective to ensure that the voices from the field were taken fully into account when designing the strategic direction on this complex issue, ensuring that the plans reflected the realities and possibilities for real impact on the ground.

13. The briefings with the Chief of the Rule of Law, Equality and Non-Discrimination Branch and her team and with the Chief of the Human Rights and Economic and Social Issues Section during recent sessions of the Board were found to be particularly useful by the Board. In the Rule of Law Section, for example, the synergies and mutual support between the field presences and Geneva had been clearly demonstrated during the Board's visits to Mexico, Tunisia and Cambodia and, more recently, Ukraine. For example, in Ukraine, the cooperation and support in preparing the quarterly reports and providing legal advice on the derogation of certain provisions of the International Covenant on Civil and Political Rights were, in the view of the Board, excellent practices. It encouraged the Office to ensure wider access by the field presences and external partners to the thematic information sheets produced by the Rule of Law, Equality and Non-Discrimination Branch, which the Board had found to be a key resource in the area of technical cooperation and advisory services.

14. The Board also confirmed throughout all its field visits that demands for specific technical cooperation in the area of economic and social rights continued to grow. While the Office had in recent years invested in strengthening its human capacity to respond adequately, it had been obliged, owing to recent funding constraints, to substantially limit or to discontinue relevant staff training. The Board considered that that was an area requiring particular attention in midterm and long-term strategies to ensure support and follow-up training to strengthen capacity and yield effective results. The results observed by the Board, for example in the area of land rights and housing rights, when the Office had the financial and human resources, were particularly impressive. All the constituencies that the Board had met during its field visits had particularly valued the Office's contributions,

convincingly demonstrating that, with a well-staffed OHCHR presence, the chances for long-lasting results and impact were considerably higher. Understanding the realities on the ground and having the possibility of closely analysing the needs and how best to address them jointly with all partners were part of a continuum that could not be artificially separated.

B. Forty-second session (Ukraine)

15. In accordance with the Board's practice of holding one of its two meetings each year in a State where OHCHR has a field presence, the second part of the forty-second session was held in Kyiv. The main purpose of the visit, as in the case of previous visits to the field, was to continue to gather in situ observations of the role and added value of OHCHR on the ground and to increase its understanding of the type of technical cooperation that OHCHR provides, and to give relevant guidance.

16. The Board's visit to the Human Rights Mission in Ukraine, its first to this type of OHCHR field presence, provided the Board with an excellent opportunity to observe in situ how the Office had been able to respond swiftly to the crisis that unfolded in February and March 2014 and to deploy a mission in a very complex situation. OHCHR had the advantage of already having a presence there, with expertise and experience, through the deployment of a human rights adviser to the United Nations country team since 2011 supported by the Fund. The visit also offered the Board the possibility to observe the contributions made by the Human Rights Adviser and to gain an insight into the relevance of such a presence in the preparation and subsequent deployment of the Mission. The start-up financing from the Secretary-General's contingency fund and the engagement of OHCHR senior management were critical to the rapid response.

17. The Board discussed with the staff in the Mission, different national authorities, the Ombudsman's Office, United Nations partners, regional organizations and civil society how OHCHR had managed to establish the Mission in early 2014 and had immediately commenced its extensive monitoring work. From the outset, it had been a key partner in the country. The support and visits, constant engagement and advocacy by the Assistant Secretary-General for Human Rights were found to be critical at all levels. The discussions with the Ministry of Foreign Affairs, the Ministry of Justice, the Ombudsman's Office, the Resident Coordinator and the United Nations country team, and with civil society organizations, all confirmed this. The Board recognized the positive impact of close and regular support at the highest levels of OHCHR on field presences.

18. All the Mission's partners also noted that, over the past two years, the Mission had developed a remarkable capacity to strike an effective and appropriate balance between the situations on both sides of the contact line, monitoring and reporting on the human rights situation, challenges and violations in both areas with a totally impartial and transparent approach and a strategic use of "protection by presence". The results of the intensive monitoring work combined with the unique technical capacity of the staff were used strategically by all partners to undertake their own endeavours, including the design of strategic technical support on the ground. This is the essence of the type of technical cooperation that OHCHR can offer and is best placed to offer, as the Board noted in all its visits and reported to the Human Rights Council. Human rights monitoring and technical cooperation and advisory services need to be understood as part of a continuum by which evidence-based information on the situation and the challenges on the ground are carefully studied and analysed to advise all interested partners on the extensive variety of tools and support available to jointly design the best course of action. This natural progression of work was recognized and appreciated by all the partners that the Board met. While this was

particularly evident in Ukraine, the Board had observed a similar degree of appreciation in other countries it visited, such as Cambodia, Mexico and Tunisia.

19. During the visit, the Board held discussions with representatives of the Ministry of Foreign Affairs and the Ministry of Justice on the support provided in various thematic areas, including through technical cooperation and advisory services. Particularly important for the Board was the clear expectation that the Mission would continue to play a key role in providing technical advice and support beyond its current short-term mandate. While there had been numerous reforms, institutions had been established and new laws, policies and practices relevant to human rights promotion and protection formulated, all partners interviewed held that Ukraine still required major technical support and advice to continue to make the reforms and their operationalization fully compliant with international human rights standards. The current efforts of the Mission to start issuing thematic reports with focused and analytical discussions were eagerly awaited and welcomed by all partners. They stated that the reports could further strengthen their own capacity to better support the State, with cooperation more focused on areas requiring particular attention.

20. The Board considered that one of the most significant factors limiting the capacities to further build on the achievements made to date was the very short-term nature of the Mission's mandate. While the initial deployment was for three months, it had been subsequently extended every three months for two years, until the most recent extension, which was for six months, until September 2016. In view of the clear expectations of the Government and partners in country, the Board very much hoped that the Government and OHCHR would agree on a three-year plan, based on annual mandates, that would enable more strategic planning, longer-term programmes and projects to meet ongoing expectations for technical assistance and to support more sustained and realistic fundraising possibilities. The Board appreciated the excellent capacities of the Mission to build solid partnerships with all actors in the country and the openness and frankness of all interlocutors in expressing their appreciation for the added value of its work at this critical juncture for Ukraine. Particularly relevant was the interest in relying on the Mission's views and guidance to ensure that technical cooperation addressed the key concerns and focused on achieving sustainable results for the people of Ukraine.

21. Discussions with civil society representatives were also particularly helpful for the Board to understand the complexities of the situation and to develop expectations of how the Mission, through technical cooperation, could protect and increase space for civil society to operate and better engage with the human rights mechanisms.

22. During meetings with the Board, the Resident Coordinator and representatives of United Nations agencies and programmes, including the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women and the International Labour Organization, confirmed the critical guiding role that OHCHR was playing on the ground, including in advising on the support of the Human Rights Up Front initiative in the context of implementation of the United Nations Development Assistance Framework. All agencies confirmed their reliance on the Mission's reports and advice to adequately integrate key human rights issues into United Nations common analysis and programmatic interventions. The Board was extremely pleased by the level of coordination and support on the ground. The Mission, its advice and its reports served as the main references for all United Nations partners in the context of their own mandates. How the United Nations system was taking advantage of the Mission's expertise was, in the eyes of the Board, a good practical example of the functioning of the Human Rights Up Front initiative.

23. The Board also met with the Ombudsman's Office to discuss the cooperation opportunities with the Mission for strengthening the national protection system. Following the interest expressed by the Ombudsman's Office in strengthening the mechanisms for

follow-up on the recommendations of the universal periodic review and other human rights mechanisms, an interest also shared by the Ministry of Justice, the Board provided information about the possibilities of additional support through the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review, which could complement the ongoing collaboration within the country. It also shared with them some recent experiences in various other regions.

24. The work of regional partners, such as the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe and the European Union, the cooperation with the Mission and the mutually reinforcing coordination were also areas of interest for the Board during its visit. In the meetings with the Representative of the Secretary-General of the Council of Europe and the Chief of the OSCE Monitoring Mission, the Board discussed how partners in the country make the best use of the reports and the work from the Mission and how coordination function in practice. The Board was very pleased to observe the excellent coordination on the ground and how the relevant partners work strategically to maximize each other's added value for maximum impact. Although regional partners have more human and financial capacity, the Board observed that there are great expectations on OHCHR to provide not only objective evidence and analysis in its monitoring reports but also active advice and support on the type of technical assistance required.

25. The Board found that the priorities of OHCHR, as articulated through the Mission, were very much in line with the expectations from all partners in the country, and that the Mission's experience should serve as a good example of what can be achieved even in difficult and complex circumstances, provided that the Office has the opportunity and received the support and the resources needed to demonstrate its capacity. While there had been many developments in the country over the past three years, this was a critical juncture to ensure that reforms and changes lead to positive results for the effective promotion and protection of human rights. All the partners that the Board met saw the Mission's reporting work and the advice and technical support that it could provide as playing a key role in ensuring that their own programmes and actions moved towards full compliance with international standards. They saw that as a role the Office should continue to play. The Board was most impressed with the professionalism, dedication and commitment of the Mission's staff, who work in a very difficult and a challenging context.

26. The Board took the opportunity of its last day in Kyiv to hold an internal meeting on its future programme of work. During the meeting, the Board formally elected Christopher Sidoti as its Chair, to succeed Ms. Lim from 1 July 2016. The Board also proposed that its next field session in October 2016 should be to a country office in Latin America.

III. Technical cooperation

A. Technical cooperation to reflect national development objectives

27. The Board has brought to the attention of the Human Rights Council a number of components for effective technical cooperation by OHCHR that have become evident in its experience of overseeing the management of the Voluntary Fund. The Board, through its reports and presentations to the Council, had already elaborated on (a) the importance of anchoring technical cooperation to the universality and indivisibility of all human rights, including both protection and promotion aspects; (b) the critical importance of building and strengthening national frameworks and institutions in the field of human rights through technical cooperation and advisory services; (c) the importance of partnerships with United

Nations entities on the ground; and (d) the need for technical cooperation programmes to ensure the broadest possible participation of all elements of national societies.

28. The Board continues to elaborate on the main elements of the above-mentioned components, as it considers that this could be beneficial for supporting the Office in the implementation and development of the technical cooperation aspects of its programme for 2014–2017 and subsequent ones. In the present report, the Board elaborates on its view that effective technical cooperation should reflect national development objectives, ensure the highest levels of ownership and sustainability and respond to genuine interest, international commitments and efforts for human rights promotion and protection.

29. The Board is of the view that, on the one hand, for technical cooperation in the field of human rights to have effective and sustainable results, it has to be closely aligned with national development objectives and, on the other, sustainable socioeconomic development hinges on the human rights-based approach. The human rights-based approach is both a perspective and a process that can lead more directly to increased enjoyment of human rights and socioeconomic development. Development processes — traditionally, technical and economically oriented — are becoming increasingly focused on the enjoyment of rights. Such an approach is based on the conviction that human rights and development are closely interrelated and mutually reinforcing.

30. The adoption of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals[1] makes it even more important and feasible for OHCHR technical cooperation programmes to support national development objectives. States individually and collectively have committed to the implementation of the 2030 Agenda and the 17 Sustainable Development Goals. That requires the Agenda and the Goals to be incorporated into State development objectives, strategies and plans. The Agenda and the Goals are, in turn, closely related to human rights. The Agenda is grounded in the Universal Declaration of Human Rights and international human rights treaties.[2] Every Goal has a basis in international human rights law. OHCHR has a central role to play in promoting the 2030 Agenda and the Sustainable Development Goals through human rights. Its technical cooperation programmes should contribute substantially to that effort and seek to do so especially in association with national development objectives, strategies and plans.

31. The importance of the human rights dimensions of each of the 17 Sustainable Development Goals cannot be underestimated. The Board is pleased to note the efforts of OHCHR to undertake a thorough review of its thematic strategies and their relevance to the implementation of the 2030 Agenda. The technical support from OHCHR for legislative and policy development and reform and capacity-building for rights holders and civil society, for instance, are areas where the Board has been able to observe the critical impact that the Office's advocacy, convening role and technical expertise can make to support real and tangible change on the ground. The Board encourages States to continue to use and request the Office's support and guidance while transforming their national development objectives.

32. Aligning technical cooperation on human rights with national development objectives should entail support for States to ensure that policies and institutions to promote development base themselves on the obligations that emanate from international human rights standards. Human rights instruments provide a coherent framework for practical action to carry out national development objectives, such as the reduction of poverty. For economic and social development processes to be sustainable and effective, they have to be

[1] General Assembly resolution 70/1.

[2] Ibid., para. 10.

participatory, transparent and non-discriminatory. The protection of the right to participate in decisions that affect the lives and livelihoods of the people that the United Nations serves, the voice to express their needs, the ability to engage in development projects and programmes, and the right to share fairly and equitably in the fruits of development are some of the paramount premises that should govern these technical cooperation programmes. The Board reiterates its views that "participation" should be understood as an inclusive term that refers to engagement with all relevant actors in all the stages of the technical cooperation process: design, implementation, monitoring and evaluation.

33. Corruption, discrimination, inequality, especially gender inequality, and abusive power relations are often at the heart of development challenges and obstacles. The Board, through its experiences on the ground, is convinced that technical cooperation programmes aimed at respecting and strengthening the rule of law, in accordance with international standards, are critical in the establishment of conducive and supportive environments enabling sustained and sustainable development. Through such programmes, the establishment of effective, transparent and accountable institutions should form the basis of development and equitable distribution. Capacity-building programmes aimed at strengthening national institutions, such as the judiciary and national human rights institutions fully compliant with the Principles relating to the status of national institutions (the Paris Principles),[1] are essential. Equally critical are programmes to enable civil society to work freely and to participate actively and effectively in these processes.

34. Since its establishment, the Fund has supported numerous programmes on the ground aiming at integrating human rights into national development efforts, notably through OHCHR country presences and human rights advisers in United Nations country teams. The Board has noted and valued the role of OHCHR, in particular the role of the Human Rights Advisers, in providing technical know-how and support to mainstream human rights standards into United Nations Development Assistance Frameworks and to assist the United Nations country teams to operationalize such standards. One example is Ecuador. In 2008 the national report of Ecuador to the universal periodic review defined the inclusion of a human rights-based approach to planning as a priority for international cooperation and in 2009 the National Secretariat for Planning and Development (Secretaria Nacional de Planificacion y Desarrollo) requested OHCHR support for this endeavour through technical cooperation. Through the support of the Human Rights Adviser, the collaboration between OHCHR and the National Secretariat produced a number of relevant results, including the guidelines for the integration of a human rights-based approach in the national development plan, which were adopted by ministerial decree making them compulsory, as well as the development of an atlas of socioeconomic inequalities. This collaboration has been presented in Human Rights Council debates by the State on various occasions as successful in placing people and their rights at the centre of development planning and in guiding the implementation processes. In 2011 the Ministry of Justice of the Palestinian National Authority requested OHCHR assistance in preparing an action plan that integrated a rights-based framework into national development. This resulted in the preparation of effective and implementable guidance for the incorporation of human rights into the 2014–2016 Palestinian National Development Plan.

35. In 2015, several results of this type of cooperation were achieved with resources from the Fund. The Bolivian Human Rights Council approved the National Human Rights Action Plan for 2015–2020, which is being considered by the Ministry of Development Planning. The Office assisted in its preparation. In March, the Bolivian Human Rights Council also approved the Plurinational Human Rights Policy for 2015–2020, which

[1] General Assembly resolution 48/134.

includes a comprehensive overview of human rights actions to be undertaken by the State. OHCHR supported the State through technical cooperation in this endeavour and continues to support national efforts for its nationwide dissemination. In Paraguay, the inter-institutional mechanism (SIMORE) developed with the support of the Human Rights Adviser to facilitate the implementation of and follow-up to recommendations issued by regional and international human rights mechanisms is being used to inform policy and practice. In addition to contributing to the State's accountability and transparency, the tool supports the activities of a large range of users, including many national and international development partners. Based on the information available in the inter-institutional mechanism, the Government in 2015 developed, inter alia, a national plan for the rights of persons with disabilities.

36. During its field visits, the Board had the opportunity to see and discuss the results of technical cooperation with the relevant authorities and partners, for example during its visits to Tunisia, Mauritania, Mexico and Cambodia. The discussions have reflected the contribution of technical cooperation programmes to national development plans. During the Board's recent visit to Ukraine, the Government and United Nations partners on the ground informed the Board of the technical support received for the preparation of the draft national human rights plan of action. OHCHR supported the preparation of the draft by stressing the importance of reflecting the recommendations made by United Nations human rights mechanisms in relation to Ukraine. The draft plan of action now identifies key objectives, well-defined activities, a clear implementation time frame and responsible actors, and benchmarks and indicators to monitor implementation. The Office facilitated the participation of United Nations agencies in the drafting process by establishing a working group, comprising 10 United Nations agencies, which met regularly to coordinate their inputs to the draft. In addition, in November 2015, the Resident Coordinator submitted an assessment of the draft by the United Nations country team, based on consultations with United Nations agencies and substantive support provided by OHCHR, to the Government of Ukraine.

37. Human rights technical cooperation programmes in support of national development objectives need to take into account how these programmes address the particular situation of the most discriminated and disadvantaged groups in society, including ethnic minorities and indigenous peoples. Ensuring that their needs and concerns are not only heard but taken into account in the design and implementation of these programmes should be a priority. The Office has developed numerous good practices to support free and informed participation processes, in particular in the Americas. The Board has observed during its visits how the Office enables cross regional fertilization of these experiences. During the visit to the OHCHR country office in Cambodia, in the context of the extended role of the Board for policy advice to OHCHR on the broader technical cooperation programmes, the Board learned about the ongoing technical support programme for rights holders to strengthen their capacity to meaningfully participate in processes that affect them with regard to land and housing rights and indigenous rights. This process includes capacity-building for all relevant actors, including the local authorities. In 2015, the Board learned that one of the communities supported by the Office successfully claimed more than 700 hectares of ancestral land through the communal land titling process.

B. Synergy and partnerships with other United Nations entities

38. During its visits to OHCHR field presences, the Board continues to give attention to the synergies and partnerships among United Nations agencies and programmes in the area of technical cooperation in the field of human rights. Through the discussions with United Nations Resident Coordinators and representatives of other United Nations agencies and

programmes in Cambodia, Mauritania, Mexico, Tunisia and most recently in Ukraine, the Board has had the opportunity to observe how the United Nations system-wide commitment to human rights, as grounded in the Charter of the United Nations, is reflected in the programmes on the ground supporting national development processes.

39. The Board has had many opportunities in recent years through its field sessions to observe and discuss in situ with relevant partners, including United Nations agencies and programmes and national and international partners, the impact and tangible results that human rights mainstreaming efforts across the United Nations work on the ground have yielded. The developments achieved to date equip the United Nations on the ground to respond more effectively to the exciting challenges ahead as the world transits from the Millennium Development Goals to the new Sustainable Development Goals and the 2030 Agenda for Sustainable Development.

40. Discussions held with resident coordinators in many countries revealed that, while there had undoubtedly been important results in the full application of the human rights-based approach as a programming principle for the United Nations, there was still an undeniable need for guidance on its implementation. The recent Guidance Note on Human Rights for Resident Coordinators and United Nations Country Teams, issued by OHCHR in collaboration with the United Nations Development Group Human Rights Working Group and the United Nations Development Coordination Office, certainly represents an important technical tool to support them in this direction. The Board also found particularly important the materials and guidance on concrete actions based on good practices that resident coordinators and the United Nations country teams could undertake to meet the human rights responsibilities and assist national efforts.

C. Measuring results of technical cooperation, and the response of the Office of the High Commissioner

41. At its most recent sessions in Geneva, in 2014 and 2016, the Board was briefed on OHCHR progress assessments of programmes in the field, including programmes that are being covered by the Fund. The Board welcomed the information received on the progress of such evaluations, and was pleased to learn that the visits of the Board to the field presences and the outcomes and reports of the visits were proving useful in the preparation of the framework for these evaluations. This has been the case, for example, in Mexico. For technical cooperation to be effective, monitoring and evaluation and the assessment of the results achieved are critical. For this reason, the Board welcomes the efforts of OHCHR in the area of evaluations and encourages it to continue to take advantage of the Board's views when useful for strengthening the technical cooperation components of its programmes.

42. The Board continues to regard the OHCHR performance monitoring system as particularly useful. The Board has observed how the system and the information gathered is of great value, not only for planning, monitoring and reporting, but also for enabling data-based analysis that can inform management decisions and optimize the allocation of financial and human resources. The Board has observed in its field visits how the system is fully used by all planning entities; in the sessions held in Geneva, it has also been impressed by how all planning entities are interlinked, thus ensuring greater coherence and mutual contributions towards jointly defined results.

43. The Board welcomes the Office's continuous efforts to ensure the full functioning and use of the system. The Board has already drawn attention to the need to ensure that the financial module is fully functional, and has discussed with relevant OHCHR staff the importance of interfacing the system promptly with the implementation of UMOJA. The Board encourages the United Nations Secretariat to support OHCHR in ensuring that the

implementation of UMOJA does not undermine the excellent performance of the OHCHR performance management system, but strengthens it further.

D. Main findings, challenges identified and recommendations

44. The Board has continued to engage with relevant parts of OHCHR regarding the technical cooperation components of each of the OHCHR thematic strategies and to provide advice on their implementation within the 2014–2017 programming cycle.

45. The Board considers that technical cooperation in the field of human rights has substantially advanced in recent years. What is needed now is an improved understanding of the type of technical cooperation that OHCHR can and is best placed to provide, taking into account its mandate and expertise. The Board very much hopes that its views regarding the components of effective technical cooperation and the outcomes of its sessions can help to strengthen this understanding. This is particularly important in view of the critical support that the Office can provide, as described in the present report, in the review of national development objectives in the context of the 2030 Agenda and other important international initiatives, such as Human Rights Up Front. The Board has been pleased to learn from national partners about the key contributions that OHCHR has been able to provide when it has a presence, and when the presence is properly staffed and financed, and has a framework of operations that adequately represents the High Commissioner's mandate.

46. The Board encourages States to continue to work with OHCHR in implementing innovative approaches and replicating and sharing good practices and lessons learned across regions. This is critical to continue strengthening the human rights programme. The Board notes that an increasing number of States are openly acknowledging the role and support of the OHCHR field presences during the thematic panel discussions on technical cooperation at the sessions of the Human Rights Council. Such positive recognition should be translated into more substantial and sustained funding for OHCHR to be able to adequately support States in the promotion and protection of human rights.

47. The adoption of the 2030 Agenda and the Sustainable Development Goals, with their strong and explicit human rights-based approach, requires a new understanding of what constitutes official development assistance (ODA). The Board is of the strongly held view that all the contributions to OHCHR should now be treated as ODA in view of the critical importance that all its work has for sustainable development and the achievement of the 2030 Agenda.

IV. Status of funding and donors

48. At its meeting in Geneva in February 2016, the Board was updated on the overall financial status of OHCHR and the 2015 financial situation of the Voluntary Fund for Technical Cooperation in the Field of Human Rights. The Board also discussed and analysed the funding projections and proposed workplan for the Fund for 2016. Its considerations were made difficult because of the uncertainties relating to the end-of-year financial situation owing to the introduction of UMOJA. Nonetheless, it was clear that, despite expenditures under the Fund being significantly reduced in 2015 compared to 2014 in line with the actions of the Office to limit its funding gap, requests for technical cooperation and expenditures continued to exceed the voluntary contributions made in 2015.

49. In 2015, the total expenditure of the Voluntary Fund for Technical Cooperation in the Field of Human Rights amounted to $17.4 million, substantially less than in the

previous year. The reductions were due to the termination of or substantial reduction in a number of programmes previously covered by the Fund, including those in Ecuador, the Republic of Moldova, Togo and Kosovo.[4] The Fund received a total of $13.1 million in voluntary contributions, of which $8.2 million were earmarked and $4.8 million were allocated to the Fund from unearmarked contributions to OHCHR. The resulting deficit at the end of 2015 was covered from existing reserves. During this period, the Fund continued to provide resources for technical cooperation to build strong human rights frameworks at the national level in 30 regions, States and territories. This included support for 15 human rights advisers (Chad, Ecuador (closed in June), Honduras (discontinued after the opening of a country office), Kenya, Madagascar, the Niger, Papua New Guinea, Paraguay, the Republic of Moldova, the Russian Federation, Rwanda, Serbia, South Caucasus (Georgia), Sri Lanka and Timor-Leste), 9 human rights components of peace missions (Afghanistan, the Central African Republic, Côte d'Ivoire, Guinea-Bissau, Haiti, Liberia, Libya, Somalia and the Sudan (Darfur)) and 6 country stand-alone offices (Bolivia (Plurinational State of), Kosovo (closed August), Mauritania, Mexico, Togo (closed end of June) and State of Palestine). Details of contributions and programmes are provided in the annual report of OHCHR for 2015.

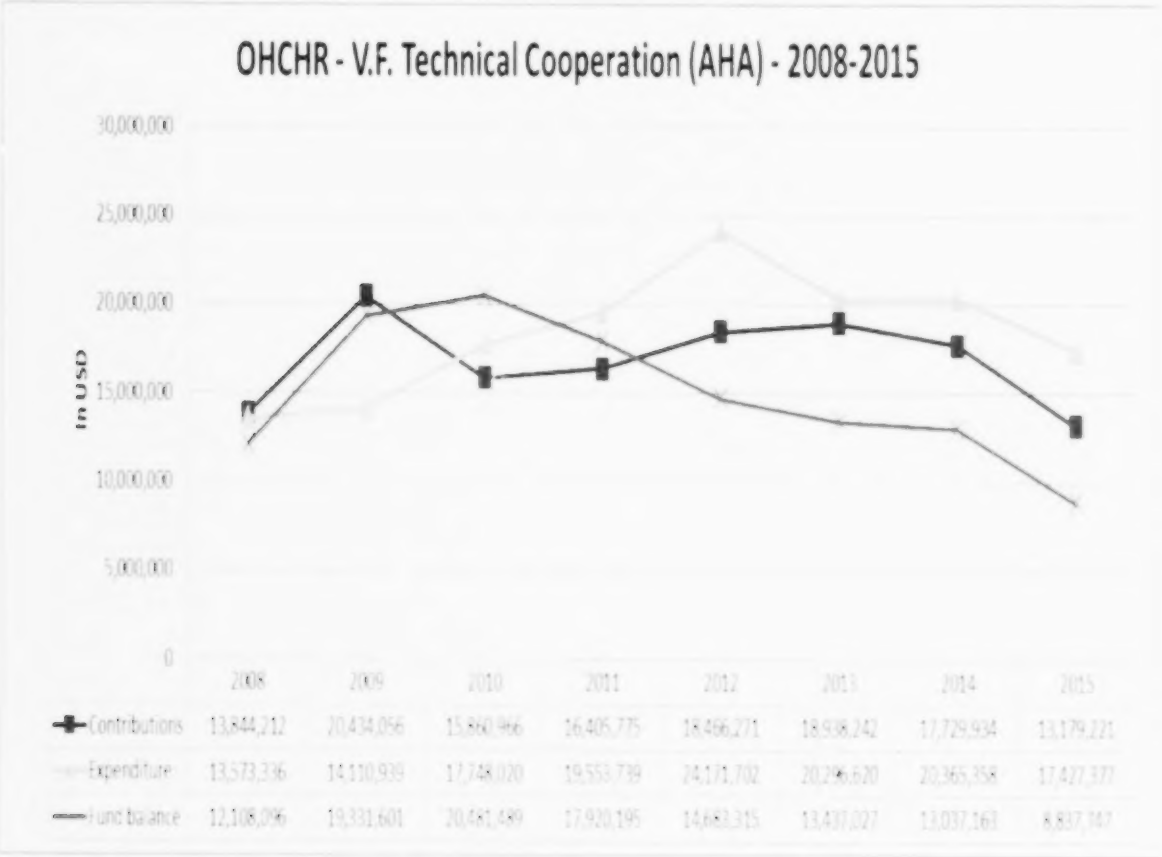
50. Through the Fund, the Office has facilitated efforts made at the country level to incorporate international human rights standards into national laws, policies and practices, and contributed to the establishment and strengthening of national capacities to adhere to these standards. Strengthening the administration of justice and increasing capacities to promote gender equality and women's rights have also been the focus of numerous programmes receiving support from the Fund. The establishment and functioning of responsive national human rights institutions compliant with the Paris Principles and human rights education programmes continued to receive support. United Nations resident coordinators and country teams have also seen their human rights capacity strengthened by the deployment of human rights advisers. Detailed information on income and expenditure under the Voluntary Fund, its financial status in 2015 and a list of donors and contributors are annexed to the present report (see annexes II – IV).

51. The Board continues to emphasize the importance of ensuring sustainable increased contributions to OHCHR and to the Fund.

[4] Reference to Kosovo should be understood to be in full compliance with Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

Annex I

Voluntary Fund funding and expenditure trends: 2008 to 2015



Annex II

Voluntary Fund cost plan and expenditure: 2015

Human Rights

OHCHR EXTRABUDGETARY RESOURCES

Voluntary Fund for Technical Cooperation - Status of cost plan for 2015

900	V. F. for Technical Cooperation (AHA)		Cost plan 2015 (USD)			Expenditure 2015
Donor Number	Field Operations & Technical Cooperation Division	Number of staff	Staff costs	Activities	Total	Total USD
	(a) Human Rights Advisers in UNCT (16) *					
		9			1,050,367	644,097
		5			712,750	714,658
		2			230,805	236,324
		16			1,675,004	1,619,737
		5			487,730	481,121
		5			520,088	400,305
		5			660,405	548,111
		1			74,645	50,169
		5			593,562	552,780
		5			475,422	359,045
		1			59,507	46,253
		5			572,498	535,766
		3			221,526	141,690
		5			975,876	774,943
		2			176,824	44,864
		1			130,959	185,277
		5			224,244	174,159
	sub-total HR Advisers	*86*	*5,501,420*	*3,239,192*	*8,740,812*	*7,479,269*
	(b) Human Rights Components of UN Peace Missions (7)					
					89,327	63,224
					264,985	244,057
					186,843	179,951
					68,874	68,719
					73,281	73,189
					176,337	176,337
					70,659	70,659
					109,818	109,818
					168,275	118,331
	sub-total Peace Missions	*0*		*1,398,399*	*1,398,399*	*1,102,745*
	(c) Country / Standalone Offices (16)					
		9			1,059,300	635,628
		10			829,002	827,614
		20			2,965,235	2,679,653
		8			575,062	580,769
		11			1,686,633	1,806,074
		15			2,429,786	2,436,636
		6			253,917	306,267
	sub-total Country / Standalone Offices	*82*	*7,679,427*	*2,119,614*	*9,799,041*	*9,342,661*
	Sub-Total	167	13,180,842	6,567,405	19,748,254	17,444,663
	Total (including UN PSC)		19,748,254			88%

Annex III

Financial status of the Voluntary Fund: 2015

Office of the High Commissioner for Human Rights
United Nations Voluntary Fund
for Technical Cooperation (AHA)

Statement of Income and Expenditure
for the period 1 January - 31 December 2015
(Preliminary closing)

I. Income	USD
Voluntary contributions in 2015	13,179,220.84
Loss on exchange (on contributions)	-108,402.67 **
Miscellaneous and interest income	77,993.85
Total income	**13,148,812.12**

II. Expenditure */	USD
Staff costs (including consultants)	11,408,170.80
Travel of Staff/Representatives	433,271.07
Contractual Services	445,234.51
General operating expenses	1,239,327.13
Supplies & Materials	304,268.39
Grants, contributions and seminars	1,496,234.45
Programme Support Costs	1,992,448.43
Total expenditure	**17,318,974.78**
Net excess/(shortfall) of income over expenditures for the period	**(4,170,162.66)**
Opening Balance 1.01.2015	**13,037,163.50**
Miscellaneous adjustments/savings/refunds to donors	**(3,732.00)**
Loss/gain on exchange	**(25,521.73)**
Total fund balance as at 31.12.2015	**8,837,747.11**

/ Includes disbursements and obligations

** *Loss on exchange will be recorded as expenditure in the UNOG financial statements*

Estimated Net funds to be made available for activities in 2016	6,904,490.00
PSC (13%)	897,584.00
Operating reserve (15%)	1,035,673.00
Total funds available for 2016 (with PSC & Op. reserve)	**8,837,747.00**

Annex IV

List of donors and contributors: 2015

Voluntary Fund for Technical Cooperation (VFTC)

Voluntary contributions in 2015 *(as at 31 December)*

Donor	US$	Earmarking
[illegible]	711,481	VFTC
[illegible]	100,000	VFTC
[illegible]	848,350	VFTC
[illegible]	30,841	VFTC
[illegible]	1,554,604	VFTC
[illegible]	1,250,000	VFTC
(a) total contributions earmarked to VFTC	4,566,082	
[illegible]	109,048	Timor-Leste
[illegible]	106,548	Papua New Guinea
[illegible]	72,696	Sri Lanka
[illegible]	133,990	Côte d'Ivoire
[illegible]	81,335	HRMM Ukraine
[illegible]	19,067	Côte d'Ivoire
[illegible]	30,924	Bosnia-linked project adjustment final 2014 payments
[illegible]	44,855	Mauritania
[illegible]	80,800	Mauritania
[illegible]	12,595	HRMM Ukraine
[illegible]	90,683	Mexico
[illegible]	24,401	Chad
[illegible]	35,344	Togo
[illegible]	22,500	Haiti
[illegible]	9,300	Madagascar
[illegible]	52,268	HRMM Ukraine
[illegible]	400,000	Russian Federation (consolidation of the Human Rights Master Programme)
[illegible]	140,833	Kenya
[illegible]	50,000	OPT Office in East Jerusalem (adjustment reduction pledge 2014)
[illegible]	200,000	HRMM Ukraine
[illegible]	39,994	Maldives
[illegible]	1,000,000	American projects
[illegible]	500,000	Sri Lanka
(b) total contributions earmarked to specific projects	3,727,662	
[illegible]	4,885,277	Unearmarked
(c) total unearmarked funds	4,885,277	
TOTAL (a) + (b) + (c)	**13,179,221**	